

Control Number	APL-EG_11603962
Group Identifier	APL-EG_11603962
P/C	
FamilyStatus	
AllCustodians	Pulchny, Liz Gromek, Monika Kim, Timothy Roman, Alex Oliver, Carson Schiller, Phil Fischer, Matt Washburn, Tanya Goldberg, Marni Barton, Nate De Wilde, Geoff Thieme, Meredith Cote, Bri Phillips, Joe Elman, Josh Magnani, Joseph Thai, Ann Vij, Kunnal
Email From	
Email To	
Email CC	
Email BCC	
DateSent	
TimeSent	
DateLastModified	5/17/2024
TimeLastModified	01:42:12
DateCreated	
Email Subject	
Title	
Filename	2023.06.28 Wisconsin CLEAN - Team Commission - Privileged & Confidential.key
Application	
Confidentiality_Rcvd	HighlyConfidential
Production Vol.	APL-EG_111

PLAINTIFF

U.S. District Court - NDCA

4:20-cv-05640-YGR-TSH*Epic Games, Inc. v Apple Inc.*Ex. No. **CX-0291**

Date Entered _____

By _____



[Jen]

Commission parameters

Style	Developer-styled link or button
Placement	Once per page
Language	Template only; Specific pricing allowed
IAP Use & Discouragement	IAP required; May not discourage or mimic IAP

For discussion only

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[Jen]

- When we last met, the direction was that we should charge a commission on transactions resulting from a link.
- As a reminder, here are the parameters of the proposed commission model.
- For style, developers are allowed to control the style of the link or button
- The placement is limited to once per page and can be side-by-side, but must be in close proximity to and no greater prominence of IAP.
- The language will be dictated by a choice of templates, more details on the following slide
- Overall, IAP is still required and the rules prevent discouragement of its use

Link out language
Only these templates can be used; price/percentage and URL are variables

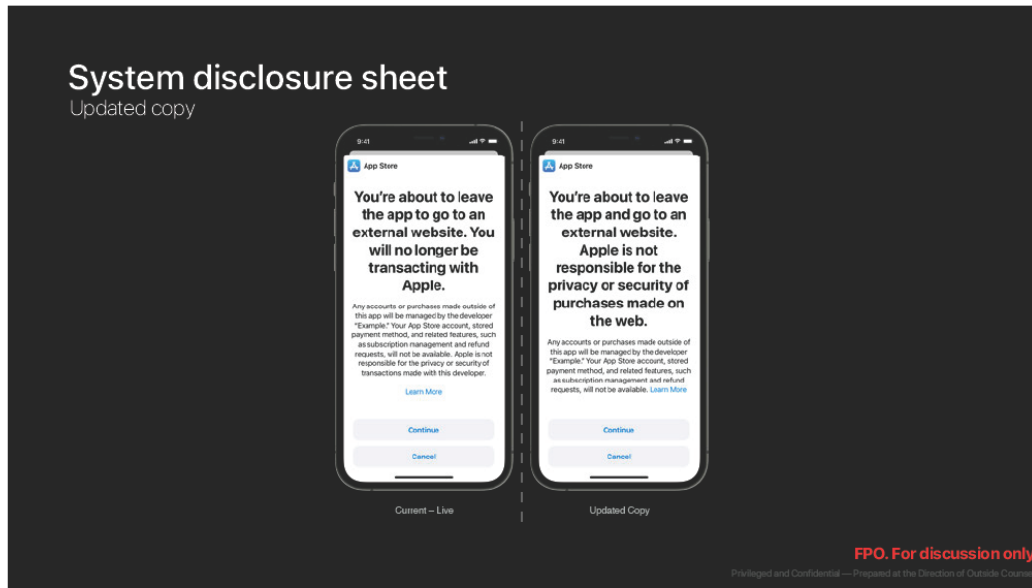
✓ Special Offer Template	For special offers go to www.hulu.com/welcome
✓ Lowest Price Template	Lowest price offered on www.hulu.com/welcome
✓ % Off Template	To get 50% off, go to www.hulu.com/welcome
✓ Specific Price	Buy for \$4.99 at www.hulu.com/welcome

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[Jen]

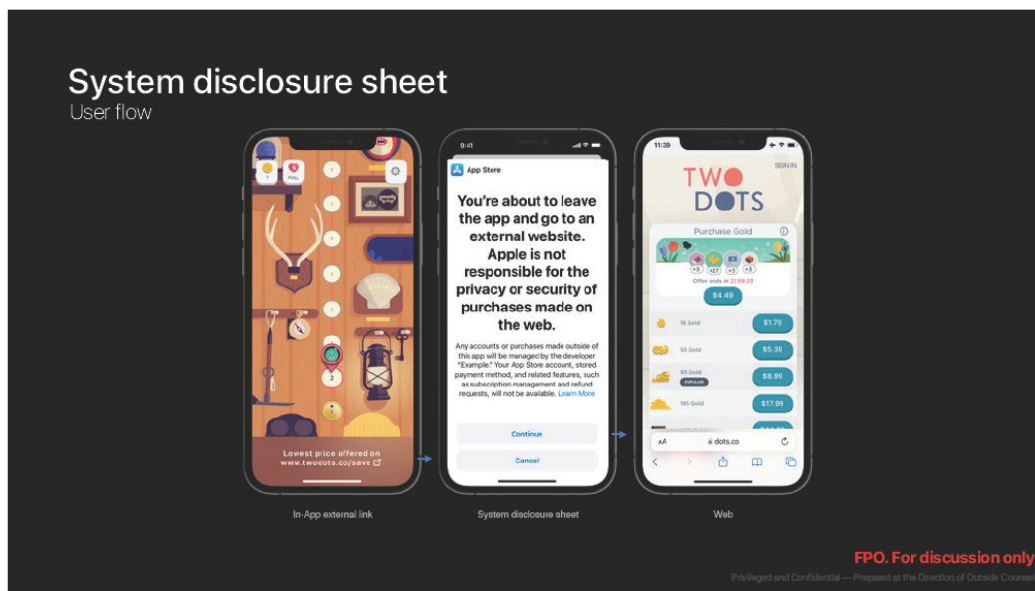
- In both options, developers would be able to choose from a short list of templates for their link out language, allowing them to input the URL as well as the specific price or relative price comparison.

Attorney-Client Privilege



[Ann]

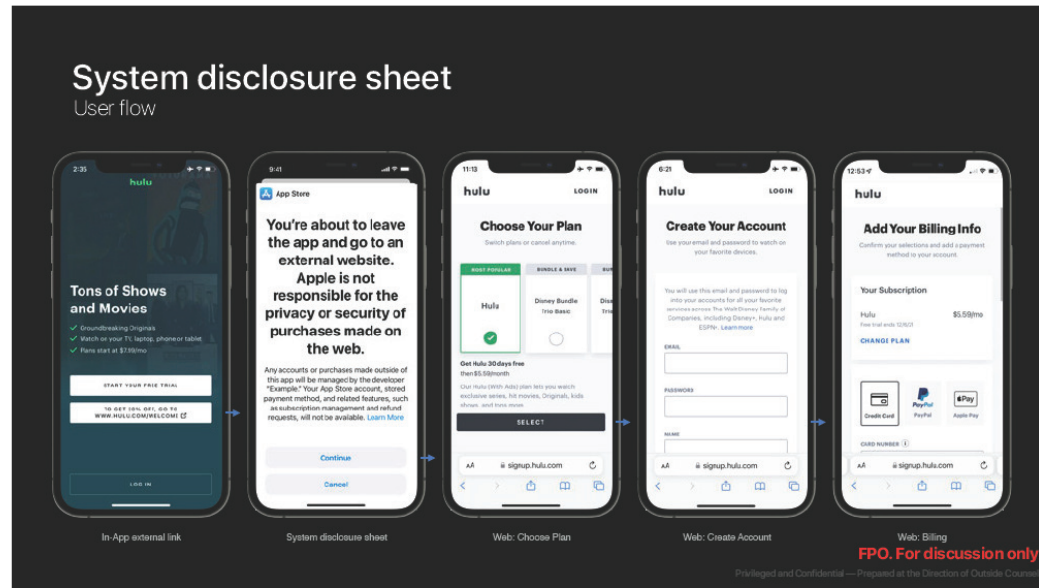
Tim, based on your feedback, here is the System disclosure sheet with the updated copy on the right.



[Ann]

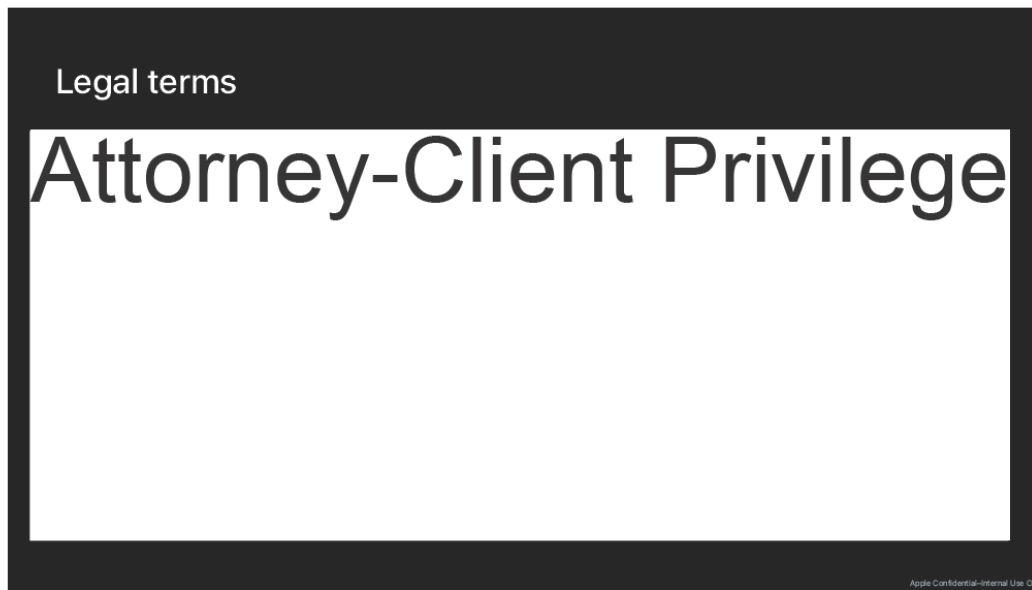
Here's an example of the UI flow once a customer clicks on a link out button with the updated language.

It takes a customer to a system disclosure sheet letting them know they are leaving the app and going to the web.



[Ann]

And here's how it could look for account-based products and services.



[LING OR JEN]

Fee collections and developer escalations

Timeline

(Days from end of month)

Escalation Path

15 days

Developer must report out all applicable transactions to Apple in specified format / APIs

45 days

Payment due
If no payment is made:
Revoke link-out entitlement
Block app updates
Offset against developer IAP proceeds
Interest starts accruing on remaining balance

90 days

App removal from App Store
Blocking distribution on Apple platforms

120 days

Termination from Developer Program
Legal action for any balance remaining after offset

For discussion only

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[Timo]

Approach to determining reasonableness of reports

Timeline

(Days from end of month)

Activity

0 - 15 days

Developer must report out all applicable transactions to Apple in specified format / APIs

15 - 35 days

Analytics performed to assess reasonableness of report, including:
Completion rate
Average prices
Total volume
Benchmarking against similar apps / developers

35-90 days

Outreach to developers to resolve any identified anomalies

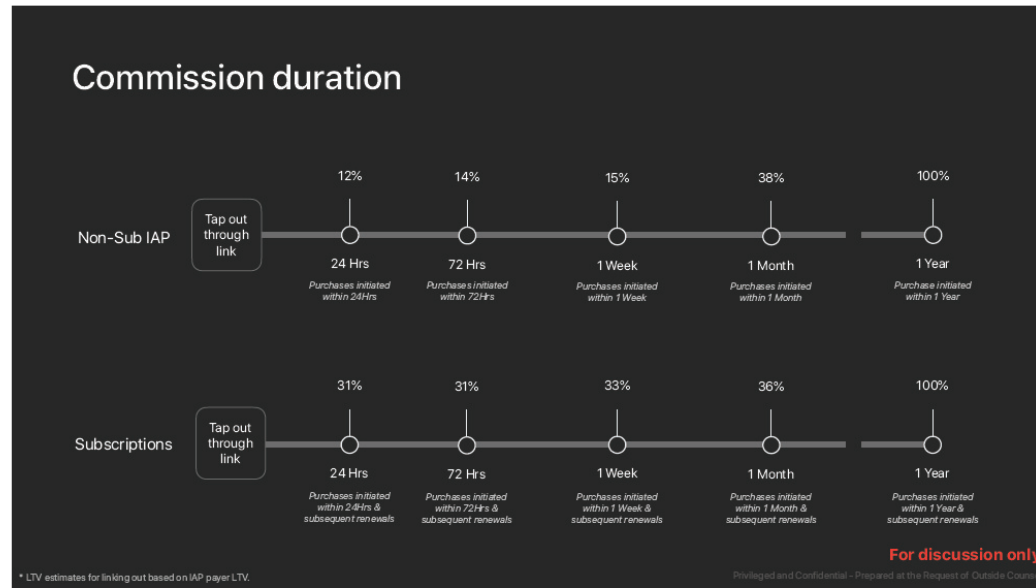
90-180 days

If friendly conversations do not result in acceptable explanations, consider invoking audit rights

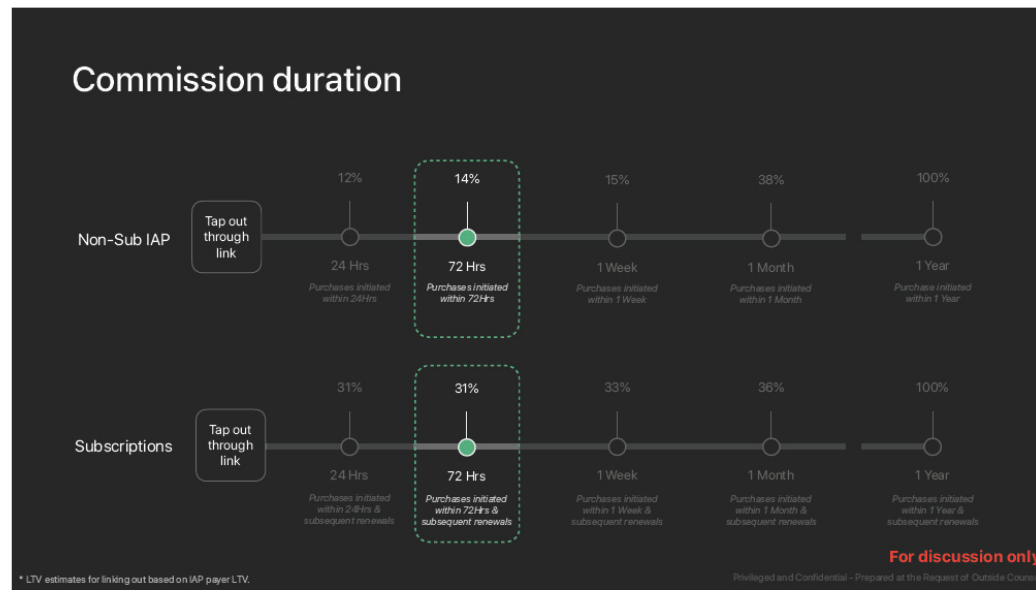
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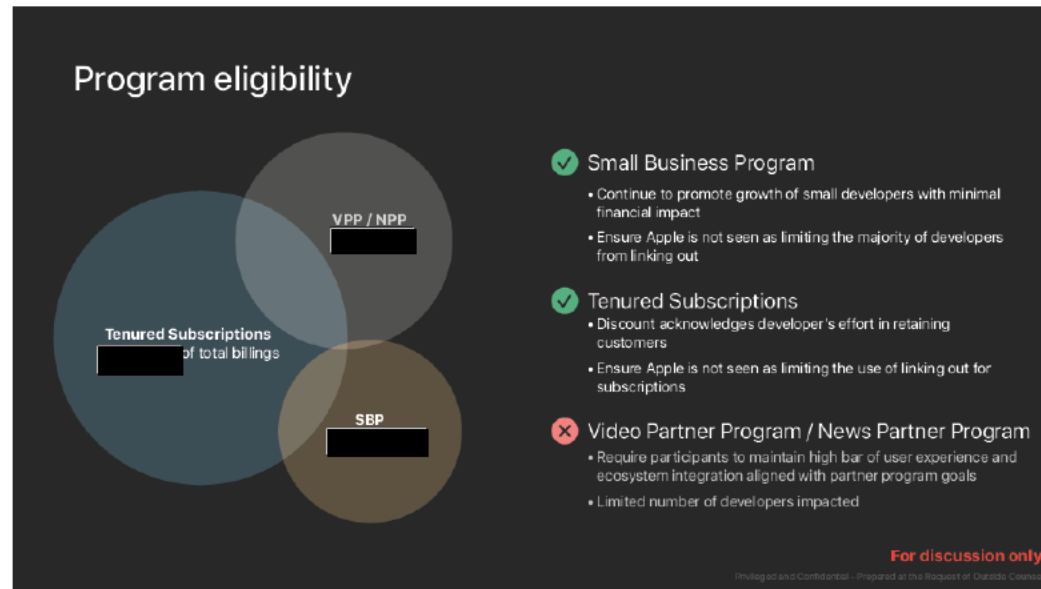
[Timo]



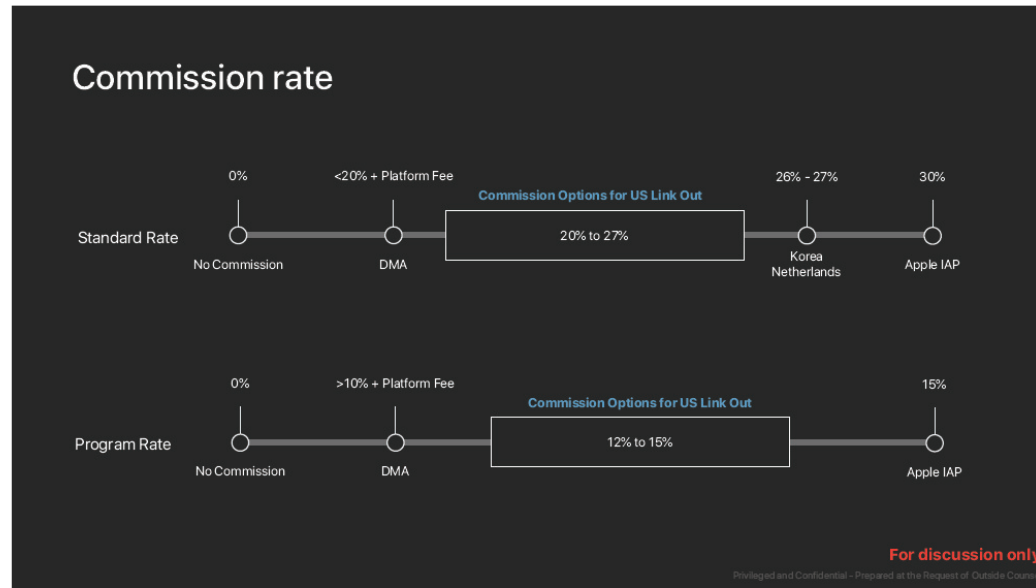
[Kunnal]



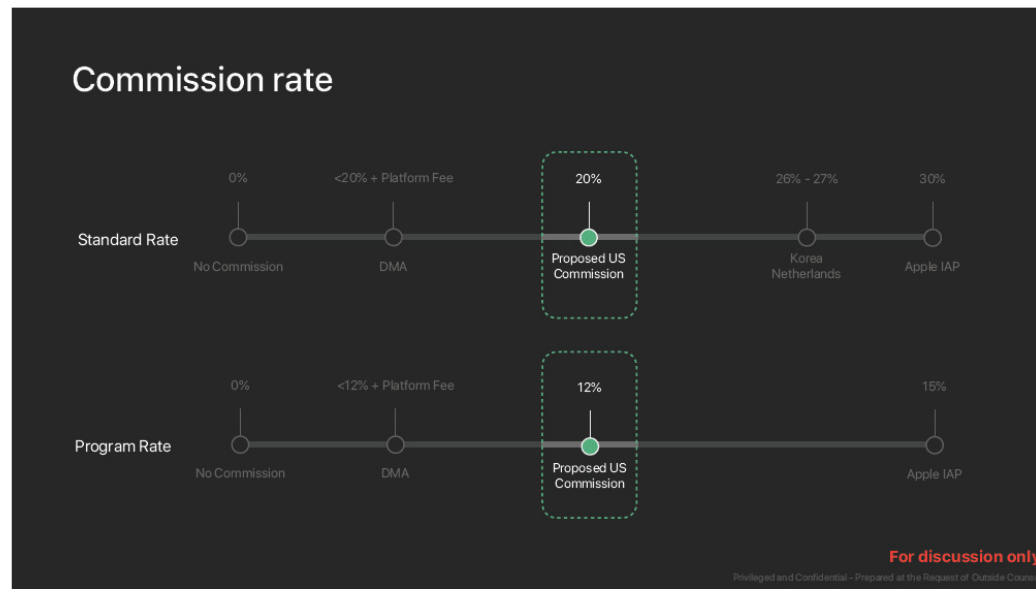
[Kunnal]



[Kunnal]



[Kunnal]



[Kunnal]

Epic injunction proposal

20% standard commission

12% program commission

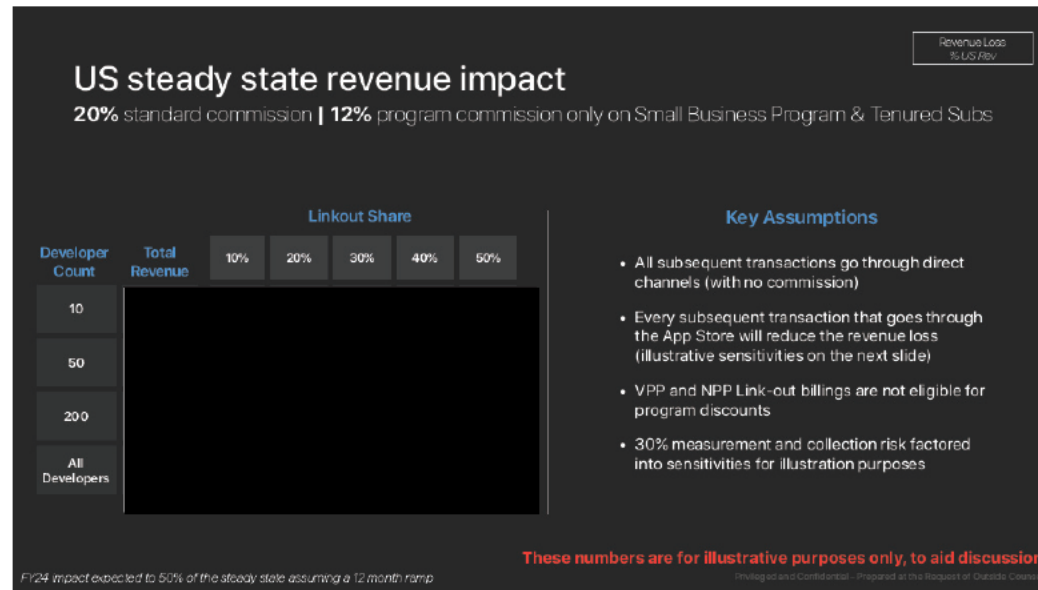
Program commission only on **Small Business Program & Tenured Subs**

Purchases initiated within **72 Hrs** Post Link Out (+ subscription renewals)

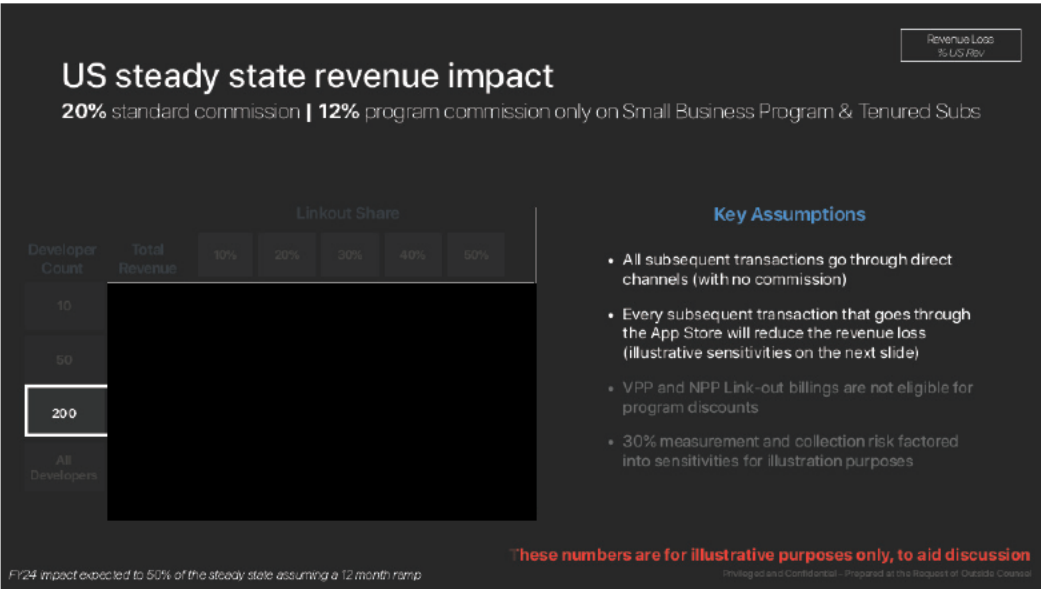
These numbers are for illustrative purposes only, to aid discussion

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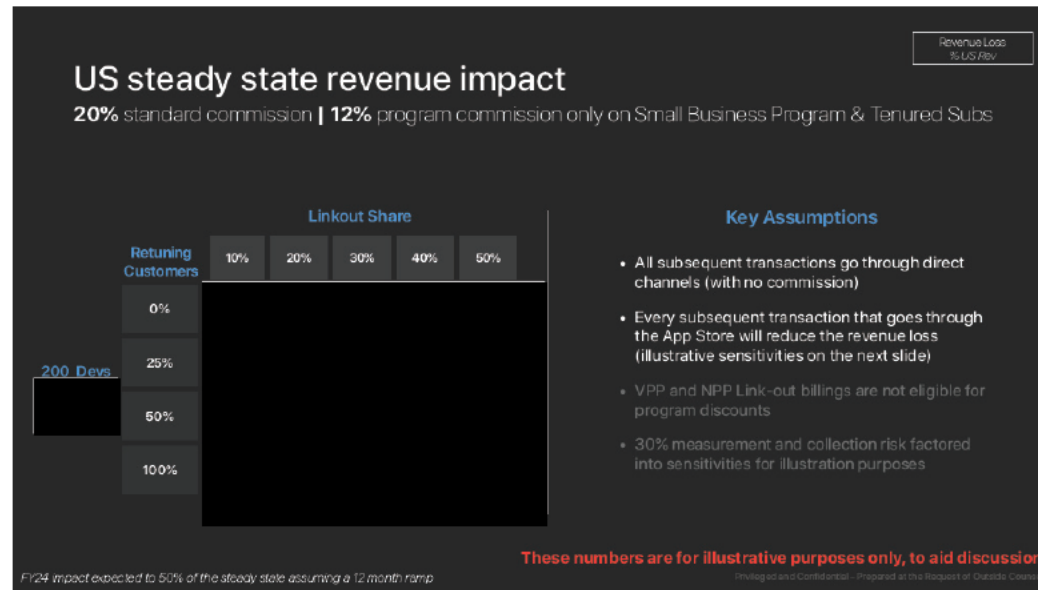
[Kunnal]



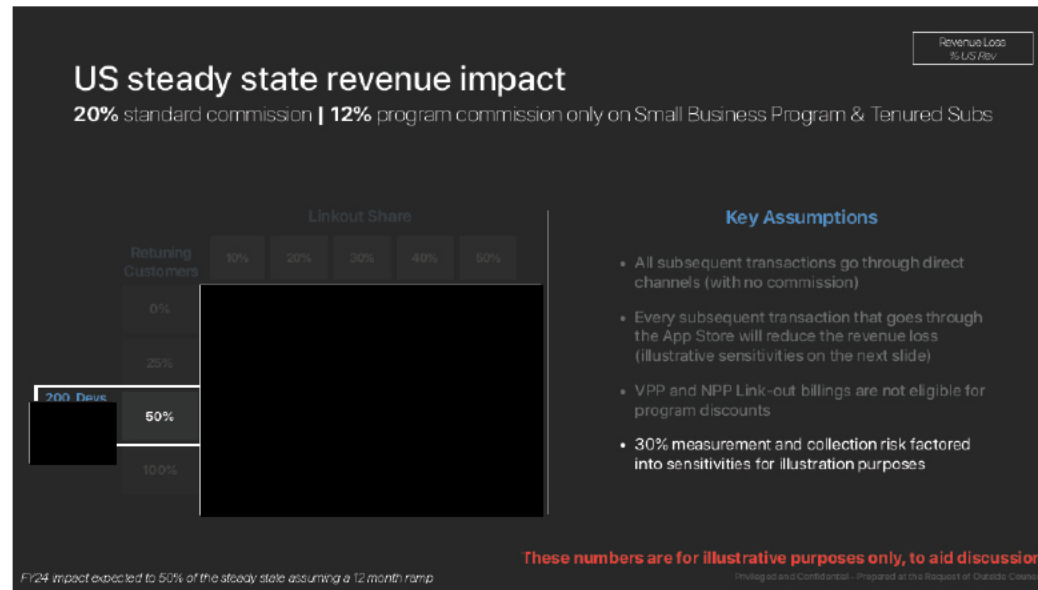
[Kunnal]



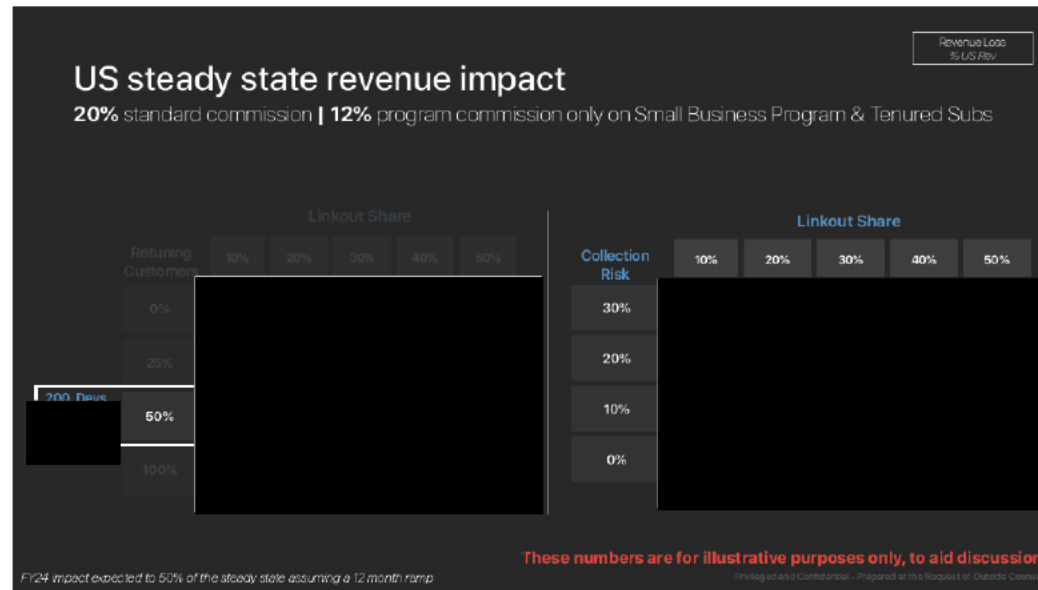
[Kunnal]



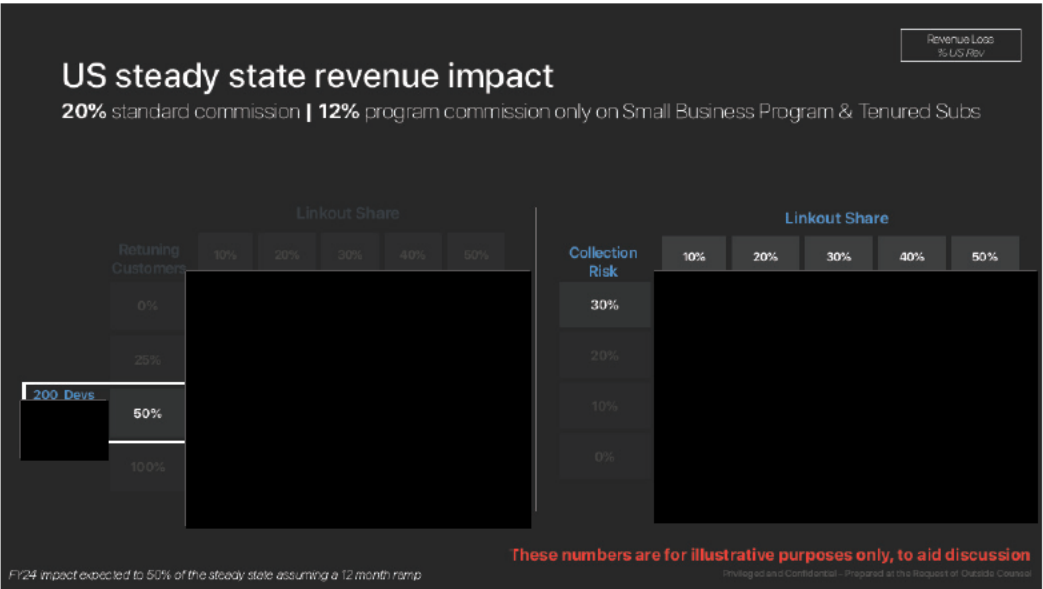
[Kunnal]



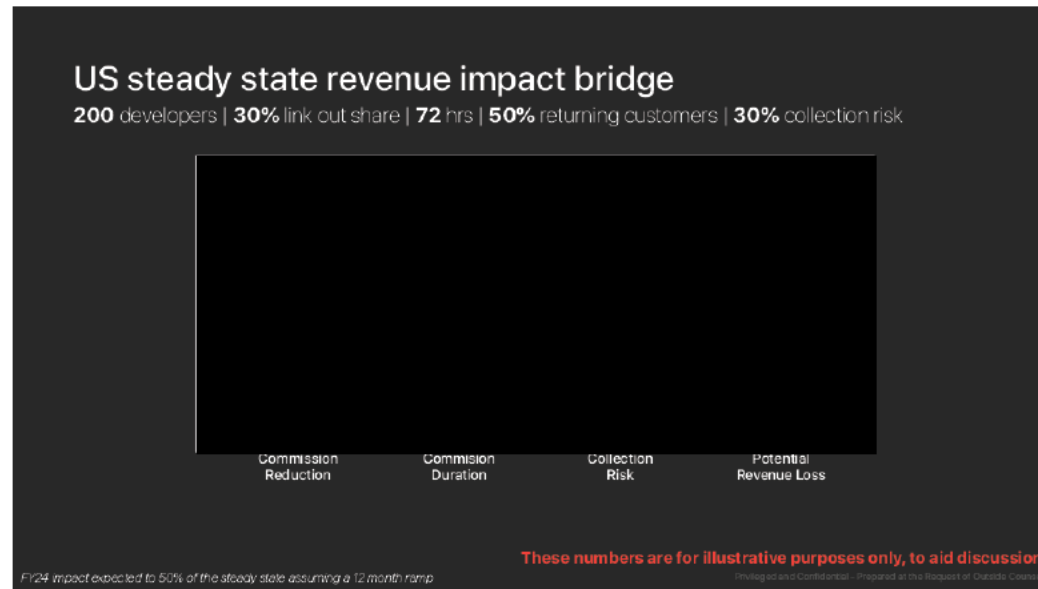
[Kunnal]



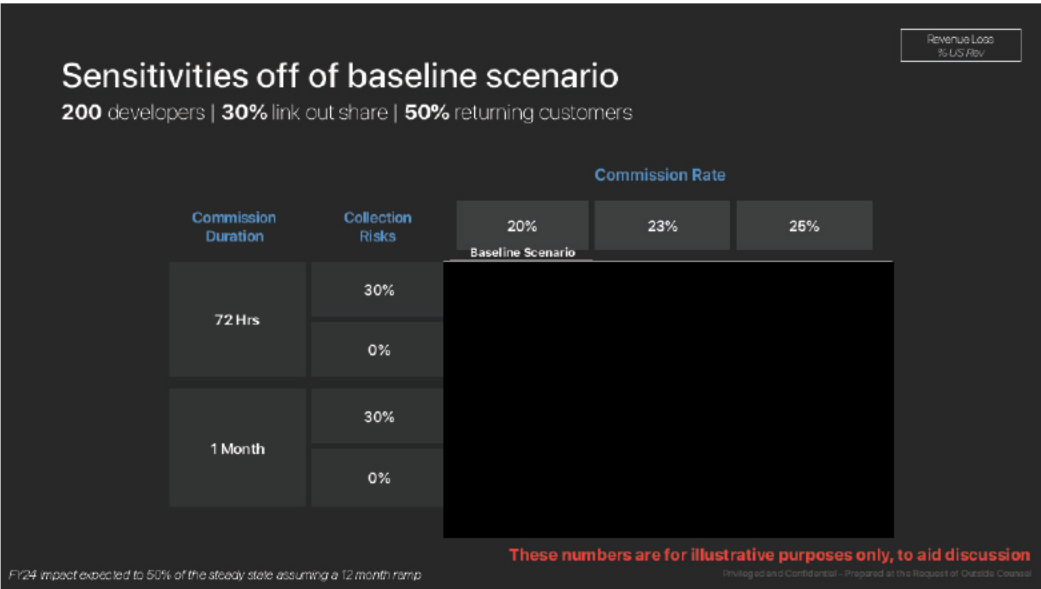
[Kunnal]



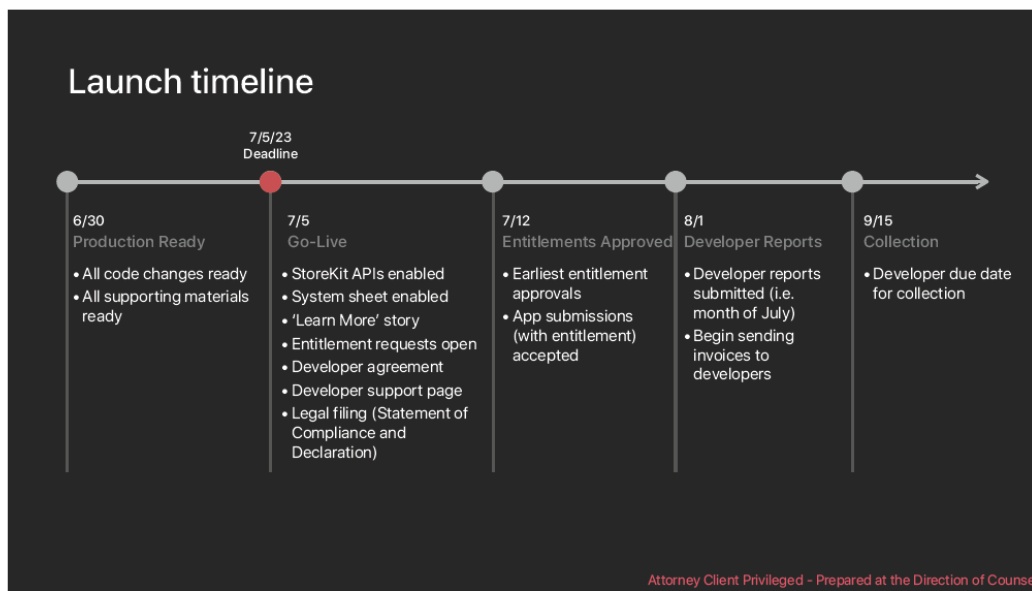
[Kunnal]



[Kunnal]



[Kunnal]



[TANYA]

This Friday 6/30 - all code changes and supporting materials will be ready

Go live on July 5 (9-10am):

- Engineering will enable StoreKit APIs and the system disclosure sheet
- Open up entitlement agreement, new Guidelines, developer support pages
- Legal is going to file the 'Statement of Compliance and Declaration'

7/12: About a week later is when the earliest entitlements will be approved, and we'll begin to accept app submissions with entitlements
- entitlements will be manually reviewed

8/1-8/15: We'll see Developer reports submitted, and we'll begin to send invoices to developers during this timeframe
[15 days to report after July]

9/15: is the due date for developers to pay us via electronic funds transfer

- Due date aligned with when we'll pay them for commission for Month of July
- Electronics funds transfer

